

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, MAY 12, 2014**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, May 12, 2014, with Councillor Lewis presiding.

Councillor Simpson introduced Pastor William Lee, Capitol City Seventh Day Adventist Church, who led the opening prayer. Councillor Simpson then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*0 ABSENT:*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Barth recognized friend and neighbor Chip Lefler. Councillor Pfisterer recognized Dr. Butts, Waynet Township School Superintendent. Councillor Scales thanked the Democrat caucus for welcoming her to sit on their side of the aisle and stated that she is still a Republican and has not changed parties, but stands for her constituents and not always with the party decision. Councillor Oliver recognized members of the Delta Sorority. Councillor Gray recognized Indianapolis Fire Department Chief Barton. Councillor Barth recognized friend of President Lewis, Tori Harvey.

## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, May 12, 2014, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

April 24, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, April 30, 2014 a copy of a Notice of Public Hearing on Proposal Nos. 115-119, 121, 127 and 130, 2014, said hearing to be held on Monday, May 12, 2014, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

April 23, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

GENERAL ORDINANCE NO. 4, 2014 – amends the Code to reduce the number of unnecessary police and fire runs by improving the processes for the prevention of false alarms and the enforcement of false alarm violations

GENERAL ORDINANCE NO. 5, 2014 – authorizes intersection controls on Ruckle Street, Park Avenue, and Broadway Street from 19th to 21st Streets as a calming measure for King Park (District 9)

GENERAL ORDINANCE NO. 6, 2014 – approves intersection controls at Warman Avenue and CSX Railroad Crossing (District 19)

GENERAL ORDINANCE NO. 7, 2014 – amends the Code to change the boundaries of the consolidated city and police special service district to reflect the recent disannexation of territory to the Town of Speedway

GENERAL ORDINANCE NO. 8, 2014 – authorizes parking restrictions on Broadway Street at 42nd Street (District 9)

GENERAL ORDINANCE NO. 9, 2014 – authorizes intersection controls in the Bunker Hill Subdivision (District 25)

GENERAL ORDINANCE NO. 10, 2014 – authorizes parking restrictions on Fletcher Avenue between East Street and College Avenue (District 19)

GENERAL ORDINANCE NO. 11, 2014 – authorizes parking restrictions on Indiana Avenue from North Street to Blake Street (District 15)

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GENERAL ORDINANCE NO. 12, 2014 – authorizes parking restrictions on Milburn Street and Montcalm Street (District 15)

GENERAL ORDINANCE NO. 13, 2014 – authorizes intersection controls at Shadeland Station and Shadeland Station Way (District 11)

GENERAL ORDINANCE NO. 14, 2014 – authorizes intersection controls on Clifford Drive and Chesterhill Lane (District 21)

GENERAL ORDINANCE NO. 15, 2014 – authorizes intersection controls at Broadway Street and Laverock Road (District 3)

SPECIAL RESOLUTION NO. 19, 2014 – recognizes the life and accomplishments of Margie Nackenhorst, otherwise known as the Mayor of Garfield Park

SPECIAL RESOLUTION NO. 20, 2014 - recognizes the Indianapolis Metropolitan Police Department's Special Weapons and Tactics (SWAT) team

SPECIAL RESOLUTION NO. 21, 2014 - recognizes the Indianapolis International Airport for being recognized as the best airport in North America for 2013

SPECIAL RESOLUTION NO. 22, 2014 - recognizes the 2014 National Rifle Association's Annual Convention held in the City of Indianapolis

SPECIAL RESOLUTION NO. 23, 2014 - recognizes the Arsenal Technical High School Tech Titans boys basketball team who finished the season at 27-2 and won the 4A Indiana Boy's Basketball State Championship

SPECIAL RESOLUTION NO. 24, 2014 - recognizes Prisoners Reformed United, Inc.

SPECIAL RESOLUTION NO. 25, 2014 – recognizes April 28, 2014 as Workers Memorial Day

Respectfully,  
s/Gregory A. Ballard, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of April 14, 2014. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 139, 2014. The proposal, sponsored by Councillors Adamson and Talley, recognizes the staff and volunteers of Indianapolis Animal Care and Control for their many hours of service in 2013. Councillor Adamson moved, seconded by Councillor Barth, to postpone Proposal No. 139, 2014. The motion carried by a unanimous voice vote.

PROPOSAL NO. 140, 2014. The proposal, sponsored by Councillor Osili, recognizes David Gadis for his 2014 induction into the Indiana Basketball Hall of Fame. Councillor Osili moved, seconded by Councillor McQuillen, to postpone Proposal No. 140, 2014 until July 14, 2014. The motion carried by a unanimous voice vote.

PROPOSAL NO. 178, 2014. The proposal, sponsored by Councillors Lewis, Robinson, Osili, Pfisterer, McHenry and Evans, recognizes the "Reading Rock Stars" of Mrs. Laura Nelson's second grade class for reading over 1,000,000 pages this school year. Councillors Robinson,

McHenry and Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Mrs. Nelson and some of the students thanked the Council for the recognition. Councillor Robinson moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 178, 2014 was adopted by a unanimous voice vote.

Proposal No. 178, 2014 was retitled SPECIAL RESOLUTION NO. 26, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2014

A SPECIAL RESOLUTION recognizing the “Reading Rock Stars” of Mrs. Laura Nelson’s Second Grade class for reading over 1,000,000 pages this school year.

WHEREAS, educator Laura Nelson wanted to find a way to continue to inspire a love for reading into her second graders at Indiana Math and Science Academy West, and have each student reading at a fourth-grade level by the end of their Second Grade year, putting them on a solid path toward educational success; and

WHEREAS, in order to achieve their goal, each of the 23 students and their teacher had to read 41,667 pages from August 12, 2014 through May 9, 2014, with an additional pages read to the class by guest readers. To help them achieve their goal, the students were encouraged to participate in “Drop Everything and Read” (DEAR) time each day; and

WHEREAS, the guest readers included Mayor Dean Jessup of Lawrence; City-County Council President Maggie Lewis; Indiana Superintendent of Public Instruction, Ms. Glenda Ritz; and Ronald McDonald, as well as many other community volunteers ranging from Indiana authors to community leaders; and

WHEREAS, Mrs. Nelson believes the experience has helped her Second Graders not only develop a deep appreciation and love for reading, but has also equipped the students to leave Second grade reading at a Fourth grade level; and

WHEREAS, the goal to read 1,000,000 pages was surpassed, as students exceeded many standardized expectations and supported our American Heroes by writing frequent letters and mailing monthly care packages; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the IMSA West “Reading Rock Stars” of Mrs. Laura Nelson’s Second Grade class.

SECTION 2. The Council commends the hard work and dedication shown by Mrs. Nelson and all of the Second grade students, and encourages continued dedication in all future achievements.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 173, 2014. The proposal, sponsored by Councillors Simpson and Gooden, recognizes the Park Tudor School basketball team for winning the 2A State Championship. Councillors Simpson and Gooden read the proposal and presented representatives with copies of the document and Council pins. Representatives thanked the Council for the recognition. Councillor Simpson moved, seconded by Councillor Gooden, for adoption. Proposal No. 173, 2014 was adopted by a unanimous voice vote.

Proposal No. 173, 2014 was retitled SPECIAL RESOLUTION NO. 27, 2014, and reads as follows:

May 12, 2014

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 2014

A SPECIAL RESOLUTION recognizing the Park Tudor School Basketball team for winning the 2A State Championship.

WHEREAS, the Park Tudor School Basketball team has won three State Championships in the past four years with a State Finals appearance in 2010, four out of the past five Semi-State Championships, four out of the past five Regional Championships, and four out of the past five Sectional Championships; and

WHEREAS, the Park Tudor Panthers Basketball team advanced to the State Finals this year by defeating Clarksville High School in the Seymour Semi-State; and

WHEREAS, the Panthers defeated their opponents by an average margin of 23 points per victory, including a 27-point win over Westview in the championship game, 84-57; and

WHEREAS, the Panthers repeated as the Marion County Tournament Champions by defeating the 4A schools of Indianapolis Roncalli, Lawrence North, North Central and Warren Central. The Panthers are the only 2A-sized school to ever win this tournament; and

WHEREAS, the Panthers' season record was 24-4, which included 11 straight wins to finish the season. The Park Tudor program's record of 96-11 over the past four years makes it the most successful program in Indiana regardless of size over that time period; and

WHEREAS, the team is lead by Head Coach, Kyle Cox; the Assistant Coaches are Nolan Bernard, Joey Burton, Roy Hairston, Jim Melton, and Mike O'Bryan; the team managers are Andrew Stickney, Layna Owens and Jameson Parker; and the team members include: Nick Beeson, Trevon Bluiett, Andy Foster, Alex Mack, Austin Shelton, Sloan Stearman, Evan Frank, Dwayne Gibson, Bryce Moore, Brandon Tiassum, Jaren Jackson and Kobe Webster; and

WHEREAS, the team awards were given to Trevon Bluiett, for Most Valuable Player, Offensive Efficiency Award with 1,000 points for the season, and Total Rebounds with 319; Alex Mack, for 3 point Field Goal Percentage at 46.9%; Austin Shelton, for the Red Shooting Award; Andy Foster, for the Highest GPA Award at 3.81; Nick Beeson, for the Louis Reichel Award; Evan Frank, for the Most Improved Player; Dwayne Gibson, for the Mental Attitude Award and Total Blocked Shots with 43; and Bryce Moore, for the Total Assists Award with 130; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY  
OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Park Tudor School Basketball team for winning the 2A State Championship.

SECTION 2: The Council congratulates the Park Tudor School Basketball team for their hard work and dedication during this great season and for their many accomplishments and achievements during this academic year.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 174, 2014. The proposal, sponsored by Councillors Hunter, Lewis, Miller, Evans, Freeman, Pfisterer, Mansfield, Adamson and Talley, recognizes American Lung Association and their fight to unite women to stand together against lung cancer. Councillor Hunter read the proposal, and presented representatives with copies of the document and Council pins. Executive Director Tanya Husain and Board Chair Dr. Michael Busk, American Lung Association in Indiana, thanked the Council for the recognition. Councillor Hunter moved, seconded by Councillor Mansfield, for adoption. Proposal No. 174, 2014 was adopted by a unanimous voice vote.

Proposal No. 174, 2014 was retitled SPECIAL RESOLUTION NO. 28, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 2014

A SPECIAL RESOLUTION recognizing the American Lung Association's LUNG FORCE and their fight to unite women to stand together *against* lung cancer.

WHEREAS, during the month of May, the American Lung Association celebrates lung cancer awareness. With the national launch of a new campaign called LUNG FORCE, the Association hopes to bring lung cancer awareness to women across the nation; and

WHEREAS, every five minutes a woman in the United States is diagnosed with lung cancer. Surpassing breast cancer, this disease is the #1 killer a women in the U.S., and the death rate has more than doubled over the past 35 years; and

WHEREAS, LUNG FORCE is focused on changing the public perception of what it means to have lung cancer. The campaign boldly speaks for innovations in research that will lead to earlier detection and more personalized treatments to that every diagnosed person has a fighting chance of defeating the disease; and

WHEREAS, the second full week of May has been designated as "Women's Lung Health Week", which will be campaigned across the United States to celebrate the power of women's voices to make a change and turn the tide against cancer; and

WHEREAS, during this week, buildings and landmarks throughout the country will be lit in the signature teal lighting as a sign of support; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the American Lung Association's LUNG FORCE and their fight to unite women to stand together *against* lung cancer.

SECTION 2. The Council proudly honors LUNG FORCE and follows the campaign through its journey of lung cancer triumph.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 175, 2014. The proposal, sponsored by Councillors Brown and Talley, recognizes the Cathedral High School football team for winning the 5A State Title in 2013. Councillor Brown moved, seconded by Councillor Talley, to postpone Proposal No. 175, 2014. The proposal was postponed by a unanimous voice vote.

PROPOSAL NO. 176, 2014. The proposal, sponsored by Councillor Brown, recognizes Warren Central football team for winning the 6A State Title in 2013. Councillors Brown and Hunter read the proposal and presented representatives with copies of the document and Council pins. Representatives thanked the Council for the recognition. Councillor Brown moved, seconded by Councillor Hunter, for adoption. Proposal No. 176, 2014 was adopted by a unanimous voice vote.

Proposal No. 176, 2014 was retitled SPECIAL RESOLUTION NO. 29, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2014

A SPECIAL RESOLUTION recognizing the Warren Central High School football team for winning the 6A State Title in 2013.

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WHEREAS, the Warren Central High School football team won the 6A State Championship during the annual *Indiana High School Athletic Association (IHSAA) Football State Finals* at Lucas Oil Stadium; and

WHEREAS, a close and hard fought game, the Warren Central Warriors triumphed over Carmel High School with a final score of 7-6; and

WHEREAS, Head Coach Jayson West, knew the championship game would be close, but had faith that the players come through for the win; and

WHEREAS, the team was led by Head Football Coach Jayson West and assistant coaches Robert Robertson, Ryan Barclay, Richard Benberry, Malcolm Bunnell, Richard Carrico, Tim Feezle, Scott Fischer, Jamal Herring, Kevin Humphrey, II, Kevin Humphrey, Jovan Joyner, Tim Kegley, Simon Lee, Charles Love, Derek Loyal, Russ Mann, Stephen McClain, Zac Moore, Rex Roeder, Bryan Stallings, Victor Stallworth, Desmond Tardy, David Weitz, Todd Wellman, and Sammie Williams; and consists of members Markeeth Stokes, Cieyon Wheeler, Jeff George, Adrian Smith, Delano Adams, Donnell Johnson, Keenan Duncan, Travon Jones, Vito Tupea, Phillip Austin, Dakota Gillespie, Oliver Wallace, Schular, Isaac Avant, Eddie Evans, Darius Lee, Mykelti Willaims, Wilmer Cole, Steven Bledsoe, Javin Waire, Damonte Williams, Drew Winters, Michael Hupp, Phillip Gegner, Angre Eldridge, Richard Russell, Davonte Guthrie, Quinten Duerson, D'andre Wilkerson, Josh Bridgeford, Dominick Mathis, Timothy Campbell, Desmond McGee, Austin Berry, Tyler Young, Kennyne Washington, Derrick Anderson, Jaison Brogan, Zachery Hisel, Donald (Donnie) Edwards, Cameron Thomas, Daonte Rowie, Landon Dailey, Darryl Austin, Nikko Pickens, Tirone Young, Jay-Vincent Harrison, Willie Wesby, Jordan Leach, Walter Capps, Andre Gude, Tyran Wesby, Cliff Thomas, Demetrius Orr, Damon Robinson, Jaylen Coe, Anthony Griffin-Smith, Tracey Sharp, Raheim Whitlow, William (Drew) Summeier, Courvoisier Morrow, Andre Phelps, Tyan Young, De'Adrian Bazter, Darius Gardenhire, Micah Dorsett, Marcus Mason, Justin Forte, Zachary Gegner, Tramell Smith, Jhamyr Johnson, Kayvon Bailey, Glendon Montgomery, LaQuincy Sparks, Michael Cornner, Deondre' Jones, Semorris Powell, James Sims, Noel Robleto, Drion Howard, Kevin Pierce, Maximiliano Hernandez, Justin Blakey, Jaylon Berry, Timothy Smith, Noah Perdue, Darrin Davis, Terry Hart, Scott Rennie, Daron Jackson, Steven Brown, Justin Hidlberg, Cornelius Knox, Kenneth (Drew) Hamilton, Katrell Moss, Colton Polter, Robert (Nick) Maxey, Thomas (Tre) Akers, Victor Amey, David Phelps, Hayden Galyean, Dajuan Trotter, Dijon Anderson, Keivon Larsuel, Dierrius Guyse, Trace Wellman, Zachary Summeier, Paul Minor, Darien Rivers, John Michael Wallen, Jordan Bare, and Dakarai Fulton; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Warren Central High School football team for winning the 6A State Title in 2013.

SECTION 2. The Council extends its congratulations to the team on their achievement and wishes them success in future endeavors, both athletically and academically.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 177, 2014. The proposal, sponsored by Councillors Pfisterer, McHenry, Lutz, Lewis and Holliday, recognizes Michael Araya and Derrick Moore for receiving the Gates Millenium Scholarship. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Superintendent Butts, Mr. Araya, and Mr. Moore thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Lutz, for adoption. Proposal No. 177, 2014 was adopted by a unanimous voice vote.

Proposal No. 177, 2014 was retitled SPECIAL RESOLUTION NO. 30, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2014

A SPECIAL RESOLUTION recognizing Michael Araya and Derrick Moore for receiving the Gates Millennium Scholarship.

WHEREAS, every year, the Gates Millennium Scholarship (GMS) selects 1,000 talented high school students to receive a good-through-graduation scholarship to use at any college or university of their choice. The goal of the scholarship is to promote academic excellence and to provide an opportunity for outstanding minority students with significant financial need to reach their highest potential; and

WHEREAS, receiving word that a student has won the Gates Millennium Scholarship is rare for any school, so it is unusual for any one school to receive word that two of its students have received the great honor; and

WHEREAS, the Scholarship will cover expenses at any accredited college or university in the United States. It also provides funding for master's and doctorate level studies in computer science, education, engineering, library science, mathematics, public health and science; and

WHEREAS, this year, Ben Davis High School received notices that out of approximately 52,000 students who applied for the one of the 1,000 Scholarships being offered to high school students nation-wide, two of its own won students won the award; and

WHEREAS, Ben Davis students Michael Araya and Derrick Moore, are both recipients of the scholarship. Michael has been accepted to three Ivy League schools (Columbia, Harvard and Princeton Universities) as well as Duke, Johns Hopkins and Stanford Universities. Derrick will attend Azusa Pacific University in California and later plans to attend law school at Stanford University; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council proudly recognizes Michael Araya and Derrick Moore for receiving the Gates Millennium Scholarship.

SECTION 2. The Council wholeheartedly congratulates Michael and Derrick for their outstanding achievements, as well as their hard work and dedication to their academics and wishes them both much success in all of their future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 184, 2014. The proposal, sponsored by Councillors Lewis, Barth, Osili, Miller and McQuillen, recognizes Visit Indy and National Tourism Week. Councillor Barth read the proposal and presented representatives with copies of the document and Council pins. Representatives thanked the Council for the recognition. Councillor Barth moved, seconded by Councillor McQuillen, for adoption. Proposal No. 184, 2014 was adopted by a unanimous voice vote.

Proposal No. 184, 2014 was retitled SPECIAL RESOLUTION NO. 31, 2014, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2014**

A SPECIAL RESOLUTION recognizing Visit Indy and National Tourism Week.

WHEREAS, Indianapolis is a wonderfully diverse city, full of attractions, cultural arts, hotels, restaurants and shops that meet the needs of every traveler; and

WHEREAS, the promotion of Indianapolis as a must-visit destination is elevating Indianapolis' tourism and the Indianapolis economy to new heights; and

WHEREAS, 15 million day trip visitors and 11 million overnight Visitors to the Indianapolis region annually contribute an estimated \$4.4 billion dollars to the Indianapolis economy, supporting 74,000 jobs, and generating \$256 million in local taxes; and



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WHEREAS, Tourism is Central Indiana's 8th largest industry, paying wages of \$1.3 billion and providing 5.2% of total state employment; and

WHEREAS, the U.S. Travel Association has designated May 3-11, 2014, as National Travel & Tourism Week; and

WHEREAS, Visit Indy, the city's official convention and tourism economic development agency, has recognized Belinda Cozzy, Trish Erwin (posthumously), Sam Garrison, Mike Hunter, Boomer the Pacers Mascot, Garry Chillufo, Labros Christoforatos, Cesar Espinoza, Karyl Garipey, Jerry Hunter, and Josh Tulledge as the 2014 Recognition of Service Excellence – or ROSE – award recipients for their significant contributions to the Indianapolis visitor experience; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proclaims the month of May 2014 as Visit Indianapolis month.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 52 and 79, 2014 on April 23, 2014.

PROPOSAL NO. 52, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Kenneth Adams to the Citizens Police Complaint Board. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 52, 2014 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday,  
Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty  
Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 52, 2014 was retitled COUNCIL RESOLUTION NO. 57, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 2014

A COUNCIL RESOLUTION reappointing Kenneth Adams to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council reappoints:

Kenneth Adams

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 79, 2014. The proposal, sponsored by Councillors Moriarty Adams and Barth, appoints Logan Harrison to the Marion County Public Defender Board. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 79, 2014 was adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 79, 2014 was retitled COUNCIL RESOLUTION NO. 58, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 2014

A COUNCIL RESOLUTION appointing Logan Harrison to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council appoints:

Logan Harrison

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Hickman reported that the Ethics Committee heard Proposal Nos. 106-108 and 110, 2014 on April 17, 2014. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 106, 2014. The proposal, sponsored by Councillor McQuillen, confirms the mayor's reappointment of Daniel Ladendorf to the City-County Ethics Commission. PROPOSAL NO. 107, 2014. The proposal, sponsored by Councillor McQuillen, confirms the mayor's reappointment of Leslie Hiner to the City-County Ethics Commission. PROPOSAL NO. 108, 2014. The proposal, sponsored by Councillor McQuillen, confirms the mayor's reappointment of Peggy Boehm to the City-County Ethics Commission. PROPOSAL NO. 110, 2014. The proposal, sponsored by Councillor McQuillen, confirms the mayor's reappointment of Gary Roberts to the City-County Ethics Commission. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hickman moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 106-108 and 110, 2014 were adopted on the following roll call vote; viz:

*28 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley*  
*0 NAYS:*  
*1 NOT VOTING: Brown*

Proposal No. 106, 2014 was retitled COUNCIL RESOLUTION NO. 59, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 2014

A COUNCIL RESOLUTION confirming Mayor Gregory A. Ballard's reappointment of Daniel Ladendorf to the City-County Ethics Commission.

*May 12, 2014*

WHEREAS, pursuant to Section 293-332 of the "Revised Code of the Consolidated City and County," City-County Ethics Commission nomination is subject to the confirmation of the City-County Council and subject to reconfirmation thereafter; and

WHEREAS, the Office of the Mayor has submitted to this Council the name of Daniel Ladendorf to continue serving as a member of the City-County Ethics Commission; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Daniel Ladendorf is hereby reconfirmed by the City-County Council to serve as a member of the City-County Ethics Commission.

SECTION 2. Daniel Ladendorf's term shall commence upon the passage of this resolution and expire on December 31, 2017, unless otherwise removed by the City-County Council under § 293-332(d).

SECTION 3. This resolution shall be in full force and effect upon adoption by the Council and compliance with Indiana Code § 36-3-4-14.

Proposal No. 107, 2014 was retitled COUNCIL RESOLUTION NO. 60, 2014, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2014**

A COUNCIL RESOLUTION confirming Mayor Gregory A. Ballard's reappointment of Leslie Hiner to the City-County Ethics Commission.

WHEREAS, pursuant to Section 293-332 of the "Revised Code of the Consolidated City and County," City-County Ethics Commission nomination is subject to the confirmation of the City-County Council and subject to reconfirmation thereafter; and

WHEREAS, the Office of the Mayor has submitted to this Council the name of Leslie Hiner to continue serving as a member of the City-County Ethics Commission; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Leslie Hiner is hereby reconfirmed by the City-County Council to serve as a member of the City-County Ethics Commission.

SECTION 2. Leslie Hiner's term shall commence upon the passage of this resolution and expire on December 31, 2017, unless otherwise removed by the City-County Council under § 293-332(d).

SECTION 3. This resolution shall be in full force and effect upon adoption by the Council and compliance with Indiana Code § 36-3-4-14.

Proposal No. 108, 2014 was retitled COUNCIL RESOLUTION NO. 61, 2014, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2014**

A COUNCIL RESOLUTION confirming Mayor Gregory A. Ballard's reappointment of Peggy Boehm to the City-County Ethics Commission.

WHEREAS, pursuant to Section 293-332 of the "Revised Code of the Consolidated City and County," City-County Ethics Commission nomination is subject to the confirmation of the City-County Council and subject to reconfirmation thereafter; and

WHEREAS, the Office of the Mayor has submitted to this Council the name of Peggy Boehm to continue serving as a member of the City-County Ethics Commission; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Peggy Boehm is hereby reconfirmed by the City-County Council to serve as a member of the City-County Ethics Commission.

SECTION 2. Peggy Boehm's term shall commence upon the passage of this resolution and expire on December 31, 2017, unless otherwise removed by the City-County Council under § 293-332(d).

SECTION 3. This resolution shall be in full force and effect upon adoption by the Council and compliance with Indiana Code § 36-3-4-14.

Proposal No. 110, 2014 was retitled COUNCIL RESOLUTION NO. 62, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2014

A COUNCIL RESOLUTION confirming Mayor Gregory A. Ballard's reappointment of Gary Roberts to the City-County Ethics Commission.

WHEREAS, pursuant to Section 293-332 of the "Revised Code of the Consolidated City and County," City-County Ethics Commission nomination is subject to the confirmation of the City-County Council and subject to reconfirmation thereafter; and

WHEREAS, the Office of the Mayor has submitted to this Council the name of Gary Roberts to continue serving as a member of the City-County Ethics Commission; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Gary Roberts is hereby reconfirmed by the City-County Council to serve as a member of the City-County Ethics Commission.

SECTION 2. Gary Roberts's term shall commence upon the passage of this resolution and expire on December 31, 2017, unless otherwise removed by the City-County Council under § 293-332(d).

SECTION 3. This resolution shall be in full force and effect upon adoption by the Council and compliance with Indiana Code § 36-3-4-14.

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 111-112, 2014 on April 21, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 111, 2014. The proposal, sponsored by Councillors Barth and Lewis, appoints Matthew Albaugh to the Indianapolis City Market Corporation Board of Directors. PROPOSAL NO. 112, 2014. The proposal, sponsored by Councillors Hunter, Barth and Lewis, appoints Michael Solari to the Indianapolis City Market Corporation Board of Directors. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Robinson moved, seconded by Councillor Barth, for adoption. Proposal Nos. 111-112, 2014 were adopted on the following roll call vote; viz:

May 12, 2014

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
1 NAY: Mahern  
1 NOT VOTING: Brown

Proposal No. 111, 2014 was retitled COUNCIL RESOLUTION NO. 63, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 63, 2014

A COUNCIL RESOLUTION appointing Matthew Albaugh to the Indianapolis City Market Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Matthew Albaugh

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 112, 2014 was retitled COUNCIL RESOLUTION NO. 64, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 64, 2014

A COUNCIL RESOLUTION appointing Michael Solari to the Indianapolis City Market Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis City Market Corporation Board of Directors, the Council appoints:

Michael Solari

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2014. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 122, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 122, 2014 on April 23, 2014. The proposal, sponsored by Councillors Moriarty Adams, Barth and Lewis, reappoints Jennifer Lukemeyer to the Marion County Public Defender Board. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Mansfield, to return Proposal No. 122, 2014 to committee.

Councillor Sandlin asked the reason for returning the proposal to committee. Councillor Moriarty Adams said that some of her colleagues had some questions concerning this reappointment, and not all of those with questions are from members of the committee.

Councillor Freeman said that he opposes the motion to return Proposal No. 122, 2014 to committee. He said that only one question was asked of Ms. Lukemeyer in committee, and it was not really a question, but a statement. He said that he commented that he knows Ms. Lukemeyer

personally and worked with her for a period of time. He added that an individual could ask Republicans and Democrats, alike, and he believes they would find a consensus that Ms. Lukemeyer has served well and has a long law career that qualifies her for this position. He said that he often has issues with this board, and he does not always endorse the decisions they make. However, he believes Ms. Lukemeyer is fully qualified and has devoted a lot of time to this board already. For questions to be raised after Ms. Lukemeyer has already appeared before the committee and is not present to answer, is not appropriate. He said that he feels they should move forward with the committee's recommendation. He said that if they get into this habit of second-guessing and questioning every decision by an appointee, then they need to get into it with many other appointments. He said he opposes the motion to return the proposal to committee.

Councillor Pfisterer said that she also opposes the motion for many of the same reasons stated by Councillor Freeman.

The motion to return Proposal No. 122, 2014 to committee carried on the following roll call vote; viz:

*15 YEAS: Adamson, Barth, Brown, Gray, Hickman, Lewis, Mansfield, Mascari, Moriarty  
Adams, Oliver, Osili, Robinson, Scales, Simpson, Talley  
14 NAYS: Cain, Evans, Freeman, Gooden, Holliday, Hunter, Lutz, Mahern, McHenry,  
McQuillen, Miller, Pfisterer, Sandlin, Shreve*

President Lewis asked the Clerk when the next meeting of the Public Safety and Criminal Justice Committee is. The Clerk responded that the next meeting is scheduled for May 21, 2014.

Councillor McQuillen asked for consent to explain his vote. Consent was given. Councillor McQuillen thanked Republican members for sticking together to promote transparency on this issue through the committee process.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 159, 2014. Introduced by Councillors Barth, Gray and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Cathi Gould to the Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 160, 2014. Introduced by Councillors Gray, Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Joseph Feeney-Ruiz to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 161, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Christopher Smith to the Telecom and Video Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 162, 2014. Introduced by Councillors Barth and Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$100,000 in the 2014 Budget of the Office of the Mayor (Consolidated County Fund) for early childhood education

programs via a public purpose grant to be awarded to the United Way of Central Indiana"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 163, 2014. Introduced by Councillors Barth and Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a public purpose grant to the United Way of Central Indiana totalling \$100,000 for the purpose of expanding access for Marion County children to high-quality early childhood education"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 164, 2014. Introduced by Councillors Lewis and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints T. D. Robinson to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 165, 2014. Introduced by Councillors Gray and Lutz. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the 2015-2017 Library Capital Projects Fund Plan of the Indianapolis-Marion County Public Library"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 166, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Melissa Kramer to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 167, 2014. Introduced by Councillors Moriarty Adams, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Marilyn Williams to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 168, 2014. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$324,089 in the 2014 Budget of the Department of Public Safety (Federal Grants Fund) to purchase training and duty ammunition for IMPD and to cover salary and benefits for camera operators in DHS, funded by the Urban Areas Security Initiative Grant and the Justice Assistance Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 169, 2014. Introduced by Councillors Moriarty Adams and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$791,933 in the 2014 Budget of the Department of Public Safety (Federal Grants Fund) to cover the purchase of software and equipment, training, and the cost of the interfaces for JUSTIS archives to Odyssey for IMPD; to complete Hazmat Enhanced Operations course, to purchase equipment and supplies for the deployment cache and to reimburse IMPD and IFD personnel for participating in training exercises; and to cover salary and benefits for camera operators for DHS, funded by Federal Emergency Management Agency and Justice Assistance Grant awards"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 170, 2014. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves intersection controls for Alameda Road and 54th Street (District 7)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 171, 2014. Introduced by Councillor Scales. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Meadows Drive and Meadows Parkway (District 4)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 172, 2014. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Pleasant Run Parkway South Drive near Arlington Avenue (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 182, 2014. Introduced by Councillors Adamson, Barth, Lewis, Mascari, Hickman and Talley. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes a loan from the Fiscal Stability Fund to the Transportation General Fund that is necessary to enhance the Transportation General Fund for cash flow purposes"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 183, 2014. Introduced by Councillors Adamson, Barth, Lewis, Mascari, Hickman and Talley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$16,000,000 in the 2014 Budget of the Department of Public Works (Transportation General Fund) for road and street repair and resurfacing projects"; and the President referred it to the Public Works Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 179-181, 2014. Introduced by Councillor Robinson. Proposal Nos. 146-156, 2014 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 30, 2014. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 32-34, 2014, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 32, 2014.

2014-ZON-005

2101 CHURCHMAN AVENUE (*Approximate Address*)

CENTER TOWNSHIP, CD # 20

NEW CROWN CEMETERY, LLC, by Brian J. Tuohy, requests Rezoning of 77.304 acres, from the D-A, D-5, C-1, C-4 and SU-10 districts, to the SU-10 classification to provide for cemetery uses, including a mausoleum, funeral home, crematory and mortuary.

REZONING ORDINANCE NO. 33, 2014.

2014-ZON-007

3739 EAST 9<sup>TH</sup> STREET (*Approximate Address*)

CENTER TOWNSHIP, CD # 10

CROWN CASTLE SOUTH, LLC, by Timothy E. Ochs, requests Rezoning of 0.112 acre from the C-S District to the SU-18 classification to provide for a wireless communications facility, with a proposed 130-foot tall monopole tower and an existing 90-foot tall monopole tower, with accessory equipment buildings and structures.

REZONING ORDINANCE NO. 34, 2014.

2014-CZN-801

4208 EAST EPLER AVENUE (*Approximate Address*)

PERRY TOWNSHIP, CD # 24



WESTPORT HOMES, INC., by Brian J. Tuohy, requests Rezoning of 21.81 acres from the D-A district to the D-5II classification to provide for two-family residential development, with 76 total units.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 90, 2014. Councillor Brown reported that the Public Works Committee heard Proposal No. 90, 2014 on April 3 and May 1, 2014. The proposal, sponsored by Councillor Brown, approves an additional appropriation of \$8,000,000 in the 2014 Budget of the Department of Public Works (Consolidated County Fund, Rebuild Indy subfund) for road and street repair and resurfacing projects. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Brown moved, seconded by Councillor Adamson, for adoption.

Councillor Adamson said that this only addresses about one-third of the damage from the heavy winter, and there is much more that is not being addressed, and he hopes they can address this in the near future with some upcoming initiatives.

The President called for public testimony at 8:10 p.m.

Larry Vaughn, citizen, stated that inspectors and engineers are using a sub-grade mix of asphalt and chemicals to patch potholes, and there is no use in giving them this money when the life expectancy of what they are putting down is only two months. He said that the State requirements are for materials that last 16 years, but these fixes are lasting two months in his community. He said that before spending more money, they need to get the engineers together to come up with material that will last longer than three months.

Councillor Mahern said that Councillor Adamson made the representation that this money will only meet one-third of the needs, yet it is only one-twentieth of the handout given to the Pacers. He said that this shows the priorities of this administration toward the community. Tonight, they took the time to recognize VisitIndy for tourism month, yet they need to focus on residents and not tourists and make every other month a “give services to citizens” month.

Amy Harwell, resident of the Martindale/Brightwood community, said that her neighborhood was skipped over in the list of project originally. She added that she saw workers filling one hole and skipping the next just today, and when she asked why they were not filling all the holes, they answered that this is what they were told to do. She said that resurfacing is needed, not temporary fills for every other pothole. She said that people drive through Martindale/Brightwood to bypass the interstate, and this takes its toll on their residential roads. She said that she has a petition from neighbors to show the Council they are fed up.

Councillor Brown said that Ms. Harwell did appear before the committee and her points were well taken. He said that the original proposal was delayed so that the Department of Public Works (DPW) could restructure their list and address some of the concerns from neighborhoods that were originally left off the list.

Councillor Pfisterer said that she is not an engineer, but when contracts are let, the contractor normally has to put up a bond, and if the streets are really degrading that fast, then the bond should be visited and there needs to be a redress in place. She said that there is hardly a day that goes by when she does not receive a request for pothole repairs or resurfacing. She said that there was a prior proposal for a \$150 million bond to leverage an additional \$300 million in Federal

government funds, which was not even granted a hearing in committee. However, this would have gone a long way to address these vital needs.

Councillor Hickman said that the Council votes to give money to DPW, but does not choose the streets or potholes to be repaired. She said that they are all feeling the pain in every part of the City, and she hopes DPW will spend these funds on the projects they have recognized before the committee. Unfortunately, they have seen money in the past spent on frivolous things that could have been used for streets and potholes. She said that there was talk about postponing this proposal due to a recent traffic death and the thought that a pothole might have contributed to it. Unfortunately, it will still take some time, as every pothole cannot be done tomorrow, and they need to act as quickly as they can.

Councillor Miller said that it is critically important that citizens report poor road work immediately to the Mayor's Action Center (MAC). He said that his neighborhood reported handicapped ramps that were not up to grade, and it was addressed and fixed. He said that when these jobs are done right, they do last, and if it is a matter of workmanship, then it needs to be reported. He asked his colleagues to support the proposal.

Councillor Brown said that a DPW engineer testified to the committee that the standard is to last for 15 to 16 years, not 30 years as the bond proposal would have them paying for. He said that they are still moving forward with more funds being introduced this evening to address the roads due to a harsh winter.

Councillor Sandlin said that he understands the revision of the original list, but this \$8 million was removed from the DPW budget last year as part of the RebuildIndy money, and DPW was told they could come back and ask for a reinstatement the first quarter. He said that the original proposal was to pave \$8 million of the worst streets and roads identified through a systematic grading process of thoroughfares and residential streets. This list targeted the worst streets and the most travelled streets, including East Washington Street from Southeastern to Emerson, which is falling apart. He said that the proposal was tabled, and then reappeared with political changes, and a list that was given to DPW based on Councillor preferences. He said that he voted against the proposal in committee, because he cannot vote for political influences dictating where funds get spent. He said that all of the roads need dramatic improvements, and \$8 million will only go so far, but the original list was based on a scientific grading and rating system. Instead, the committee leadership decided to interject politics. He said that he is sympathetic to the Martindale/Brightwood community, as he grew up there, but they need to look at the bigger picture and should not be hand-picking roads to surface based on politics.

Councillor Oliver thanked Ms. Harwell for her comments, and said that it was politics that kept his district from receiving any of these dollars. He said that he was told there was a grading system and the worst streets were addressed first, but he cannot understand why there was then zero appropriations for his district. He thanked Councillors Brown and Gray for helping to insure some adjustments were made. He said that judgments are made repeatedly to omit certain neighborhoods, and he appreciates that amendments were made so that his district was not left out. He said that he hopes the administration follows through to use the money as promised.

Councillor Scales said she recently did a ride-along with an Indianapolis Metropolitan Police Department (IMPD) officer through the lower part of her district and Councillor Oliver's district, which borders hers. She said that they were repeatedly stopped by individuals asking the patrol officers to urge the administration to fix their roads. The IMPD officers took her to areas where cars had been damaged, and she observed first-hand many needs in the Martindale/Brightwood

area. She said that there is no way zero dollars should have been allocated to this neighborhood that has been ignored for far too long.

Councillor Mascari said that on March 6, 2014, Mayor Gregory Ballard introduced his first RebuildIndy presentation at a Boys and Girls Club in his district. He raised his hand to ask a question about the RebuildIndy dollars, and he was not acknowledged. He said that he tried to debate the Mayor and he walked away.

Councillor Simpson moved, seconded by Councillor Gray, to end debate and call for the question. Debate was ended on the following roll call vote; viz:

*20 YEAS: Adamson, Barth, Brown, Cain, Gooden, Gray, Hickman, Lewis, Mansfield, Mascari, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Shreve, Simpson, Talley*

*9 NAYS: Evans, Freeman, Holliday, Hunter, Lutz, Mahern, McHenry, McQuillen, Sandlin*

Proposal No. 90, 2014 was adopted on the following roll call vote; viz:

*24 YEAS: Adamson, Barth, Brown, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Shreve, Simpson, Talley*

*5 NAYS: Cain, Evans, Holliday, Lutz, Sandlin*

Councillor Mahern asked for consent to explain his vote. Consent was given. Councillor Mahern said that as long as they continue to support professional sports team and downtown developers, there will continue to be un-met needs and political in-fighting. He said that they will not find any potholes downtown, because investments downtown are the ones profiting in this city, but the money does not make it out to the neighborhoods. He said that any neighborhood in Marion County outside the mile square will continue to be neglected until the administration stops giving money away.

Councillor Brown thanked DPW Director Lori Miser and her staff for accommodating their concerns. He said that they asked for a fair equitable distribution of resources, and this was not a political decision, and Ms. Miser and her staff agreed to it.

Proposal No. 90, 2014 was retitled FISCAL ORDINANCE NO. 27, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Eight Million Dollars (\$8,000,000) for purposes of the Department of Public Works.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Public Works.

SECTION 2. A total of \$8,000,000 is appropriated in the budget of the Department of Public Works to fund road and street resurfacing projects and related expenses.

The following additional appropriation is hereby approved:

| <b>FUND</b>                             | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|---|---------------|---------------|---------------|---------------|---------------|--------------|
| Consolidated County Fund (Rebuild Indy) | 0             | 141,000       | 111,000       | 7,748,000     | 0             | 8,000,000    |

SECTION 3. Upon approval of this, and other pending approvals, the projected 2013 and projected 2014 year-end fund balances for the Consolidated County Fund are as follows:

| <b>Fund</b>              | <b>Projected 2013 year-end balance</b> | <b>Projected 2014 year-end balance</b> |
|--------------------------|--|--|
| Consolidated County Fund | 166,350,242                            | 98,324,388                             |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 115-119, 2014 on April 21, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 115, 2014. The proposal, sponsored by Councillors Moriarty Adams and Miller, approves an appropriation of \$150,000 in the 2014 Budget of the Department of Metropolitan Development (Redevelopment General Fund) for utility relocation expenses at the Central Greens site. PROPOSAL NO. 116, 2014. The proposal, sponsored by Councillors Moriarty Adams and Miller, approves an appropriation of \$200,000 in the 2014 Budget of the Department of Metropolitan Development (Consolidated County Fund) in case of emergency maintenance expenses for City-owned properties. PROPOSAL NO. 117, 2014. The proposal, sponsored by Councillors Moriarty Adams and Miller, approves an appropriation of \$800,000 in the 2014 Budget of the Department of Metropolitan Development (Consolidated County Fund) for Housing Trust Fund programs. PROPOSAL NO. 118, 2014. The proposal, sponsored by Councillors Moriarty Adams and Miller, approves an appropriation of \$6,290,570 in the 2014 Budget of the Department of Metropolitan Development (Federal Grants Fund) in order to utilize prior year awards. PROPOSAL NO. 119, 2014. The proposal, sponsored by Councillors Moriarty Adams and Miller, approves an appropriation of \$37,700,000 in the 2014 Budget of the Department of Metropolitan Development (Federal Grants Fund) for the Section 108 Loan Program. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:39 p.m.

Mr. Vaughn said that money was allocated in the last proposal with no indication what would really be done with it. The Council is sticking a money in the backs of taxpayers, taking their money and giving it to their friends. He said that this approves \$2.5 million for booze-making equipment for a new factory business that will be undercutting existing local businesses and putting them out of business. Instead this new developer comes in and then later files bankruptcy and sells off the machinery taxpayers funded.

Councillor Miller said that there was a lot of discussion with questions and answers in committee, and while Mr. Vaughn attended that committee meeting, he did not raise these questions at that time. He said that this has been properly vetted.

There being no further testimony, Councillor Robinson moved, seconded by Councillor Talley, for adoption. Proposal Nos. 115-119, 2014 were adopted on the following roll call vote; viz:

May 12, 2014

29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 115, 2014 was retitled FISCAL ORDINANCE NO. 15, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional One Hundred Fifty Thousand dollars (\$150,000) for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Appropriates \$150,000 from the Redevelopment Fund for costs related to relocating water utility infrastructure at the Central Greens development site.

The following additional appropriation is hereby approved:

| <u>FUND</u>           | <u>CHAR 1</u> | <u>CHAR 2</u> | <u>CHAR 3</u> | <u>CHAR 4</u> | <u>CHAR 5</u> | <u>TOTAL</u> |
|-----------------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Redevelopment General | 0             | 0             | 150,000       | 0             | 0             | 150,000      |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Redevelopment General Fund are as follows:

| <u>Fund</u>           | <u>2013 year-end balance</u> | <u>Projected 2014 year-end balance</u> |
|-----------------------|------------------------------|--|
| Redevelopment General | 13,604,104                   | 13,864,107                             |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 116, 2014 was retitled FISCAL ORDINANCE NO. 16, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Two Hundred Thousand dollars (\$200,000) for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Appropriates \$200,000 from the Consolidated County Fund (Unsafe Building Fund) in anticipation of potential emergency maintenance, clean-up and demolition costs for City-owned properties.

The following additional appropriation is hereby approved:

| <u>FUND</u>                                   | <u>CHAR 1</u> | <u>CHAR 2</u> | <u>CHAR 3</u> | <u>CHAR 4</u> | <u>CHAR 5</u> | <u>TOTAL</u> |
|---|---------------|---------------|---------------|---------------|---------------|--------------|
| Consolidated County<br>(Unsafe Building Fund) | 0             | 0             | 200,000       | 0             | 0             | 200,000      |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Consolidated County Fund are as follows:

| <b>Fund</b>              | <b>2013 year-end balance</b> | <b>Projected 2014 year-end balance</b> |
|--------------------------|------------------------------|--|
| Consolidated County Fund | 178,809,663                  | 111,444,649                            |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 117, 2014 was retitled FISCAL ORDINANCE NO. 17, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Eight Hundred Thousand dollars (\$800,000) for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Appropriates \$800,000 from the Consolidated County Fund (Housing Trust Fund) for homeowner repairs and housing related services to benefit low and moderate income individuals.

The following additional appropriation is hereby approved:

| <b>FUND</b>                                 | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|---|---------------|---------------|---------------|---------------|---------------|--------------|
| Consolidated County<br>(Housing Trust Fund) | 0             | 0             | 800,000       | 0             | 0             | 800,000      |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Consolidated County Fund are as follows

| <b>Fund</b>              | <b>2013 year-end balance</b> | <b>Projected 2014 year-end balance</b> |
|--------------------------|------------------------------|--|
| Consolidated County Fund | 178,809,663                  | 111,644,649                            |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 118, 2014 was retitled FISCAL ORDINANCE NO. 18, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Six Million Two Hundred Ninety Thousand Five Hundred Seventy dollars (\$6,290,570) for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriation hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Appropriates \$6,290,570 in the Federal Grants fund from carry-over grant balances that were remaining from prior year awards.

This grant appropriation does not require matching funds.

The following appropriations are hereby approved:

**Metropolitan Development**

| <b>FUND</b>    | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|----------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Federal Grants | 0             | 0             | \$5,426,570   | 864,000       | 0             | \$6,290,570  |

SECTION 3. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 119, 2014 was retitled FISCAL ORDINANCE NO. 19, 2014, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 19, 2014**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) to appropriate an additional Thirty Seven Million Seven Hundred Thousand dollars (\$37,700,000) for purposes of the Department of Metropolitan Development.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriation hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Appropriations of \$37,700,000 will be available to the Department of Metropolitan Development for the Section 108 Loan Program.

The following additional appropriations are hereby approved.

**Department of Metropolitan Development**

| <b>FUND</b>    | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|----------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Federal Grants | 0             | 0             | 37,700,000    | 0             | 0             | 37,700,000   |

SECTION 3. The Department of Metropolitan Development is required to make an in-person report to the Council's Metropolitan and Economic Development Committee the meeting after any project is approved under this ordinance.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 121, 2014. Councillor Oliver reported that the Parks and Recreation Committee heard Proposal No. 121, 2014 on April 24, 2014. The proposal, sponsored by Councillors Simpson and Holliday, approves an appropriation of \$648,876 in the 2014 Budget of the Department of Parks and Recreation (Federal Grants Fund) to utilize grant dollars to fund the expansion of the Summer and Afterschool Food programs. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:41 p.m.

Mr. Vaughn said that they need to spare more money to feed kids to keep them from starving to death.

There being no further testimony, Councillor Oliver moved, seconded by Councillor Gooden, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
0 NAYS:  
1 NOT VOTING: Cain

Proposal No. 121, 2014 was retitled FISCAL ORDINANCE NO. 20, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Six Hundred Forty-Eight Thousand Eight Hundred Seventy-Six Dollars (\$648,876) for purposes of the Department of Parks and Recreation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriation hereinafter stated for purposes of the Department of Parks and Recreation.

SECTION 2. Appropriates \$648,876 in the Federal Grants fund to utilize federal grant funds administered through the Indiana Department of Education. This additional appropriation will fund the expansion of the Summer and Afterschool Food programs.

No matching funds are required for this grant.

The following appropriations are hereby approved:

**Parks and Recreation**

| <u>FUND</u>    | <u>CHAR 1</u> | <u>CHAR 2</u> | <u>CHAR 3</u> | <u>CHAR 4</u> | <u>CHAR 5</u> | <u>TOTAL</u> |
|----------------|---------------|---------------|---------------|---------------|---------------|--------------|
| Federal Grants | 113,336       | 2,000         | 533,540       | 0             | 0             | 648,876      |

SECTION 3. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 127, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 127, 2014 on April 23, 2014. The proposal, sponsored by Councillors Moriarty Adams and Pfisterer, approves an appropriation of \$5,000,000 in the 2014 Budget of the Department of Public Safety (City Cumulative Capital Fund) for patrol vehicles, animal transport vans, fire apparatus and maintenance for the outdoor siren warning system. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.



Councillor Gray asked how \$100,000 will cover the purchase of three vehicles, if they cost \$35,000 apiece. Councillor Moriarty Adams said that \$35,000 is an approximate cost, and they hope to purchase under \$30,000.

The President called for public testimony at 8:46 p.m.

Mr. Vaughn said that they are just making numbers up, and paying \$35,000 versus \$30,000 is a \$10,000 difference, and he asked what the true cost is. Councillor Moriarty Adams said that, according to Deputy Director Valerie Washington, they are hoping to come in under \$30,000, and purchase three fully-equipped vans for under \$100,000.

Councillor Talley said that he has full confidence in Ms. Washington and her estimates.

Councillor Pfisterer said that until the Council approves the use of these funds, the department has no authority to negotiate a price. Councillor Moriarty Adams agreed and said that these vans will include cages, and they will use City bids and any unspent money will go back into the fund balance.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Simpson, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 127, 2014 was retitled FISCAL ORDINANCE NO. 21, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring a total of \$5,000,000 for purposes of the Department of Public Safety.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 be amended by the increases hereinafter stated for purposes of the Department of Public Safety.

SECTION 2. The Department of Public Safety-IMPD appropriate in the City Cumulative Capital Fund to purchase patrol vehicles. The following changes to appropriations are hereby approved:

| <b>FUND</b>                          | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|--------------|
| City Cumulative Capital Fund (45602) |               | 180,000       |               | 2,420,000     |               | 2,600,000    |

SECTION 3. The Department of Public Safety-IFD, appropriate in the City Cumulative Capital Fund to purchase fire apparatus. The following changes to appropriations are hereby approved:

| <b>FUND</b>                          | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|--------------|
| City Cumulative Capital Fund (45602) |               |               |               | 2,000,000     |               | 2,000,000    |

SECTION 4. The Department of Public Safety-ACC, appropriate in the City Cumulative Capital Fund to purchase animal transport vans. The following changes to appropriations are hereby approved:

| <b><u>FUND</u></b>                   | <b><u>CHAR 1</u></b> | <b><u>CHAR 2</u></b> | <b><u>CHAR 3</u></b> | <b><u>CHAR 4</u></b> | <b><u>CHAR 5</u></b> | <b><u>TOTAL</u></b> |
|--------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|---------------------|
| City Cumulative Capital Fund (45602) |                      | 5,000                |                      | 95,000               |                      | 100,000             |

SECTION 5. The Department of Public Safety-DHS, appropriate in the City Cumulative Capital Fund to cover maintenance for the outdoor siren warning system. The following changes to appropriations are hereby approved:

| <b><u>FUND</u></b>                   | <b><u>CHAR 1</u></b> | <b><u>CHAR 2</u></b> | <b><u>CHAR 3</u></b> | <b><u>CHAR 4</u></b> | <b><u>CHAR 5</u></b> | <b><u>TOTAL</u></b> |
|--------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|---------------------|
| City Cumulative Capital Fund (45602) |                      | 21,072               | 278,928              |                      |                      | 300,000             |

SECTION 6. Upon approval of this, and other pending approvals, the 2013 year end and projected 2014 year end fund balances are as follows:

| Fund                                 | Projected 2013 year-end balance | Projected 2014 year-end balance |
|--------------------------------------|---------------------------------|---------------------------------|
| City Cumulative Capital Fund (45602) | 8,934,593                       | 3,056,443                       |

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 130, 2014. Councillor Brown reported that the Public Works Committee heard Proposal No. 130, 2014 on May 1, 2014. The proposal, sponsored by Councillor Brown, approves an appropriation of \$7,000,000 in the 2014 Budget of the Department of Public Works (Transportation General Fund) for unanticipated expenses related to 2014 snow removal. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:50 p.m.

Mr. Vaughn said that DPW is trying to pull a fast one. They had \$3.8 million left over in salt from the year of the SuperBowl, and they tried to make it look like they used it to patch potholes, but they did not. He said that this past winter he was snowed in for days, and the plow drivers were only using limited salt and leftover salt, and there were no more expenditures on salt during this crucial winter. He said that this money will probably just be given away to the Indianapolis Colts.

There being no further testimony, Councillor Brown moved, seconded by Councillor Gray, for adoption. Proposal No. 30, 2014 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
 0 NAYS:  
 0 NOT VOTING:  
 0 ABSENT:

Proposal No. 130, 2014 was retitled FISCAL ORDINANCE NO. 22, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) appropriating an additional Seven Million Dollars (\$7,000,000) for purposes of the Department of Public Works.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect additional appropriations hereinafter stated for purposes of the Department of Public Works.

SECTION 2. A total of \$7,000,000 is appropriated in the budget of the Department of Public Works to fund expenses related to snow removal including overtime, salt, private snow removal contractors, fuel, and vehicle maintenance.

The following additional appropriation is hereby approved:

**Department of Public Works**

| <b>FUND</b>                                  | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|--|---------------|---------------|---------------|---------------|---------------|--------------|
| Transportation General                       | 400,000       | 4,500,000     | 1,100,000     | 0             | 1,000,000     | 7,000,000    |
| Consolidated County<br>(Fleet Services fund) |               | 300,000       | 700,000       |               | -1,000,000    | 0            |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Transportation General Fund are as follows:

| <b>Fund</b>            | <b>2013 year-end balance</b> | <b>Projected 2014 year-end balance</b> |
|------------------------|------------------------------|--|
| Transportation General | 19,434,181                   | 15,209,796                             |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 364, 2013. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 364, 2013 on December 4, 2013, and it was returned to Committee on December 9, 2013. Following that, she held several meetings with many different interested parties to revise the language of the proposal. The committee again heard the proposal on April 23, 2014. The proposal, sponsored by Councillors Moriarty Adams, Hunter, Brown, Freeman, Oliver, amends the Code regarding fire safety requirements for battery-powered smoke detectors. By a 9-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Hunter thanked Councillor Moriarty for her hard work and patience on this issue. He said that they received lots of input from many different neighborhood groups and special interest groups. They decided that the ordinance should not dictate a specific technology, since technology changes so often, and this also keeps the cost affordable by not requiring a certain kind of technology. He said that this has been a long process, and he encouraged his colleagues to support the proposal.

Councillor Mansfield said that she has serious concerns whether this is really about public safety. She said that homeowners remove batteries from their detectors because they are overly sensitive. If they are not willing to replace a \$3 battery, then she does not understand how they expect them to replace a \$15 to \$20 unit. They will just remove the entire unit eventually. She said that the key thing is education to make sure people have working units in their homes. If they cannot afford a \$3 battery, they cannot afford this equipment.

Councillor Scales said that on the surface, this appears to solve the problem of fire fatalities. Technology, however, has to be addressed if this ordinance is truly being considered to protect public safety. She said that ionization alarms cause the nuisance alarms and are super sensitive. If they do not specify the use and need of ionization or photoelectric technology, they will continue to have the nuisance alarm problem. Instead of removing the battery, people will destroy or disassemble their alarms. She said that ionization technology is shown to be flawed and has contributed to many fatalities. Most people die from smoke inhalation in a fire, because ionization alarms do not go off in time to save people from smoke inhalation. Photoelectric alarms respond to smoke faster and are less than a minute slower than ionization alarms in detecting flames. She said that even retired Indianapolis Fire Department (IFD) Chief Brian Sanford agrees that photoelectric alarms are better. She said that by not specifying the technology, they are leaving out a major component that is needed to keep the public safe. Even manufacturers are going away from ionization. Most residents will not know the difference and will buy ionization alarms cause they are cheaper. But if they are creating this ordinance to protect the public, they need to approach it in a different manner. Councillor Scales made the following motion:

Madam President:

I move that Section 1 (e) and Section 2 of Proposal No. 364, 2013, as previously amended in committee, be amended by deleting the highlighted language that is stricken-through and adding the highlighted language that is double-underlined, to read as follows:

SECTION 1. Sec. 591-421 of the Revised Code of the Consolidated City and County, regarding smoke detector requirements for fire safety, is hereby amended by the addition of the underlined language, to read as follows:

**Sec. 591-421. Dwellings—Smoke detector requirements.**

(e) Smoke detectors required by 676 IAC 13 or 675 IAC 14 shall have power supply as specified by the respective code. All other residential smoke detectors may be powered by an AC power source or a battery. If the detector is solely AC powered and the manufacturer does not supply installation specifications, it shall be directly attached to a junction box with power supplied either from a dedicated branch circuit or the unswitched portion of a branch circuit also used for power and lighting, such installation shall be in accordance with 675 IAC 17. If the smoke detector is solely powered by a battery, such battery shall be a non-removable, non-replaceable battery capable of powering the smoke detector for a minimum of 10 years. For any dwelling unit requiring a non-removable, non-replaceable battery capable of powering the smoke detector for a minimum of 10 years as provided in this subsection, it shall satisfy the requirements of this subsection that any non-compliant smoke detector installed in such dwelling unit prior to August 1, 2014, be replaced with a compliant smoke detector at the time such non-compliant smoke detector is replaced for any reason. at least one smoke detector in a dwelling unit shall be a sealed 10-year battery using photoelectric sensor technology. All other battery powered smoke detectors need to be photoelectric but are exempt from the aforementioned battery requirements. For any dwelling unit requiring a sealed 10-year battery using photoelectric sensor technology as provided in this subsection, it shall satisfy the requirements of this subsection that any non-compliant smoke detector installed in such dwelling unit prior to July 1, 2015, be replaced with a compliant smoke detector at the time such non-compliant smoke detector is replaced for any reason. Smoke detectors and fire alarm devices that are connected to a panel as part of a monitored fire alarm system, or other devices that use a low-power radio frequency wireless communication signal are exempt from the battery requirements of this section.

SECTION 2. This ordinance shall be in full force and effect ~~upon adoption on and after July 1, 2014~~ on and after July 1, 2015, with respect to any applicable Class 2 Structure as defined by IC 22-12-1-5. ~~This ordinance shall be in full force and effect with respect to any applicable Class 1 Structure as defined by IC 22-12-1-4 upon approval by the Fire Prevention and Building Safety Commission or as otherwise permitted by law.~~

Councillor Talley seconded the motion.

Councillor Freeman said that he is not a firefighter and does not know the technology behind the different alarms, but after watching a special on Channel 13 regarding the difference between ionization and photoelectric alarms, he installed both kinds on each story of his house. However, he believes they should let the public determine what smoke detector they want, and this Council should not be picking and choosing winners and losers by deciding what technology is correct. He said that this is a public safety issue, and not only for homeowners, but also for the women and men of IFD, who risk their lives to save others. He said that he personally does not understand a homeowner not replacing a simple battery and doing all they need to do to save their family.

Councillor Moriarty Adams said that she opposes the motion for amendment. She said that the current amended ordinance allows individuals to purchase the best kind of smoke detector for their home. She said that this new language excludes ionization, as well as any future technology; yet many fire professional organizations recommend citizens have both kinds of alarms. With a 10-year life, new technology could easily come along, and this amendment would exempt future technology and other kinds of smoke detectors. The reason for this ordinance is to save lives and keep people from removing their batteries from their alarms. In a recent study of fires, 50% had missing or removed batteries, while another 25% had a malfunctioning battery in their alarm. This exemption would allow for the problem to persist, and pushing out the effective date would mean another 14 months.

Councillor Scales said that ionization technology is the main reason for nuisance alarms and the reason homeowners remove their batteries. She said that many firefighters are not even aware of the difference in the technology, so to think that a regular consumer would not know the difference is unrealistic. She said that a house would have to be in full flames before an ionization alarm activates, while the people could already be dead inside from smoke inhalation. She said that photo electronic technology is more advanced, and most of these firefighter organizations say it is better than ionization.

Councillor McQuillen moved, seconded by Councillor Sandlin, to call the question and end debate. Debate was ended on the following roll call vote; viz:

20 YEAS: Adamson, Barth, Cain, Gooden, Gray, Hunter, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Scales, Shreve, Simpson, Talley  
9 NAYS: Brown, Evans, Freeman, Hickman, Holliday, Lutz, Mahern, McHenry, Sandlin

The motion to amend failed on the following roll call vote; viz:

5 YEAS: Mahern, Mansfield, Scales, Simpson, Talley  
24 NAYS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve

Councillor Miller said that this should not affect low income residents, as there is a number people can call, where IFD will install an alarm for free for residents at certain income levels. He said that this will continue to be available, and the non-replaceable/non-removable phrasing just means the alarm is tamper-proof, and he found several online at a reasonable price.

Councillor Gray moved, seconded by Councillor Moriarty Adams, to end debate and call for the question. Debate was ended on the following roll call vote; viz:

*20 YEAS: Adamson, Barth, Brown, Cain, Gooden, Gray, Hunter, Lewis, Mansfield, Mascari, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Shreve, Simpson, Talley*

*9 NAYS: Evans, Freeman, Hickman, Holliday, Lutz, Mahern, McHenry, Sandlin, Scales*

Councillor Moriarty Adams moved, seconded by Councillor Hunter, for adoption. Proposal No. 364, 2013 was adopted on the following roll call vote; viz:

*24 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Hunter, Lewis, Lutz, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Shreve, Simpson*

*5 NAYS: Holliday, Mahern, Mansfield, Scales, Talley*

Councillor Mahern asked for consent to explain his vote. Consent was given. Councillor Mahern said that it feels good to say they did something to protect Marion County residents, but asked if they really did something that matters. He said that he is disappointed that they made requirements to put in a device, without specifying the correct technology.

Proposal No. 364, 2013 was retitled GENERAL ORDINANCE NO. 17, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 2014

A PROPOSAL FOR A GENERAL ORDINANCE amending Sec. 591-421 of the Revised Code of the Consolidated City and County regarding requirements for battery-powered smoke detectors.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 591-421 of the Revised Code of the Consolidated City and County, regarding smoke detector requirements for fire safety, is hereby amended by the addition of the underlined language, to read as follows:

**Sec. 591-421. Dwellings—Smoke detector requirements.**

(a) A smoke detector shall be defined for the purposes of this section as a device, which detects visible or invisible products of combustion.

(b) Each smoke detector shall detect abnormal quantities of smoke that can occur in a dwelling, shall properly operate in the normal environmental conditions of a household, and shall be in compliance with ANSI/UL 268-standard for safety smoke detectors for fire protective signaling systems, or ANSI/UL 217-standard for safety single and multiple station smoke detectors.

(c) All dwelling units within the county shall be equipped with a minimum of one (1) functional, properly located, labeled and listed smoke detector as described in N.F.P.A. Standard No. 72. Smoke detectors shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the family living unit, including basements and excluding crawl spaces and unfinished attics. Family living units with one (1) or more split-levels where there is an intervening door between one (1) level and the adjacent lower level, a smoke detector shall be installed on the lower level. In new construction, a smoke detector also shall be installed in

each sleeping room, where more than one (1) smoke detector is required; detectors shall be arranged so that operation of any smoke detector causes the alarm in all smoke detectors within the dwelling to sound.

(d) All equipment shall be installed in accordance with the manufacturer's installation requirements and recommendations. If the method of installation is not specified by the manufacturer, the smoke detector shall be installed on the ceiling at least four (4) inches from the wall or on a wall with the top of the detector not less than four (4) inches nor more than twelve (12) inches below the ceiling. Smoke detectors in rooms with ceiling slopes greater than one (1) foot in eight (8) feet horizontally shall be located at the high side of the room.

(e) Smoke detectors required by 676 IAC 13 or 675 IAC 14 shall have power supply as specified by the respective code. All other residential smoke detectors may be powered by an AC power source or a battery. If the detector is solely AC powered and the manufacturer does not supply installation specifications, it shall be directly attached to a junction box with power supplied either from a dedicated branch circuit or the unswitched portion of a branch circuit also used for power and lighting, such installation shall be in accordance with 675 IAC 17. If the smoke detector is solely powered by a battery, such battery shall be a non-removable, non-replaceable battery capable of powering the smoke detector for a minimum of 10 years. For any dwelling unit requiring a non-removable, non-replaceable battery capable of powering the smoke detector for a minimum of 10 years as provided in this subsection, it shall satisfy the requirements of this subsection that any non-compliant smoke detector installed in such dwelling unit prior to August 1, 2014, be replaced with a compliant smoke detector at the time such non-compliant smoke detector is replaced for any reason. Smoke detectors and fire alarm devices that are connected to a panel as part of a monitored fire alarm system, or other devices that use a low-power radio frequency wireless communication signal are exempt from the battery requirements of this section.

(f) Where smoke alarms exist in dwelling units, the warranty for the alarm shall be with the manufacturer.

(g) It shall be unlawful for any person to tamper with or remove any smoke detector, except when it is necessary for maintenance, or inspection purposes. Any smoke detector removed for repair, replacement or local remodeling shall be reinstalled or replaced so that it is in place and operable.

SECTION 2. This ordinance shall be in full force and effect on and after August 1, 2014, with respect to any applicable Class 2 Structure as defined by IC 22-12-1-5. This ordinance shall be in full force and effect with respect to any applicable Class 1 Structure as defined by IC 22-12-1-4 upon approval by the Fire Prevention and Building Safety Commission or as otherwise permitted by law.

Councillor Mansfield reported that the Administration and Finance Committee heard Proposal Nos. 102, 103 and 105, 2014 on April 22, 2014. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 102, 2014. The proposal, sponsored by Councillors Lewis, Moriarty Adams and Barth, amends the City of Indianapolis and Marion County's deferred compensation plan. PROPOSAL NO. 103, 2014. The proposal, sponsored by Councillors Lewis, Barth, Gooden and Moriarty Adams, authorizes the Controller to establish and administer a Governmental 401(a) Special Pay Plan. PROPOSAL NO. 105, 2014. The proposal, sponsored by Councillors Lewis and Moriarty Adams, amends Chapter 141, Article I of the Code regarding city and county contracts. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mansfield moved, seconded by Councillor Pfisterer, for adoption. Proposal Nos. 102, 103 and 105, 2014 were adopted on the following roll call vote; viz:

27 YEAS: Adamson, Barth, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
0 NAYS:  
2 NOT VOTING: Brown, Miller

Proposal No. 102, 2014 was retitled GENERAL ORDINANCE NO. 18, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 2014

A PROPOSAL FOR A GENERAL ORDINANCE to amend the deferred compensation plan of the City of Indianapolis and Marion County to: (1) ratify certain previously executed amendments, (2) approve the execution of an amendment to reflect certain provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA") and to clarify the distribution timing section of the basic plan document and (3) approve the execution of an amendment to add the Roth option for Indianapolis Metropolitan Police Department and Indianapolis Fire Department.

WHEREAS, the City-County Council approved the establishment of the "AUL DEFERRED COMPENSATION PLAN OF THE CITY OF INDIANAPOLIS AND MARION COUNTY", as Exhibit A to General Ordinance No. 147, 1999, and as amended by General Ordinance No. 96, 2002, and as was restated by Exhibit A to General Ordinance No. 59, 2004; and

WHEREAS, certain changes to federal legislation have necessitated changes to the plan; and

WHEREAS, the City has agreed to expand the options available to its Indianapolis Metropolitan Police Officers and Indianapolis Firefighters; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The AUL deferred compensation plan approved by the City-County Council as Exhibit A to General Ordinance No. 147, 1999, and as amended by General Ordinance No. 96, 2002, is hereby further amended to: (1) ratify certain previously executed amendments, (2) approve the execution of an amendment to reflect certain provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA") and to clarify the distribution timing section of the basic plan document and (3) approve the execution of an amendment to add the Roth option for Indianapolis Metropolitan Police Department and Indianapolis Fire Department.

SECTION 2. The City-County Council ratifies the execution of the "ELIGIBLE 457 PROTOTYPE PLAN SALARY REDUCTION CONTRIBUTIONS/EMPLOYER CONTRIBUTIONS ADOPTION AGREEMENT" executed on December 22, 2009, and attached to this ordinance as EXHIBIT A.

SECTION 3. The City-County Council ratifies the execution of the "PENSION PROTECTION ACT AMENDMENT FOR THE 457(b) PLAN" executed on March 17, 2010, and attached to this ordinance as EXHIBIT B.

SECTION 4. The City-County Council, pursuant to Section 291-401 of the Revised Code of the Consolidated City and County, hereby approves the execution of an amendment to reflect certain provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA") and to clarify the distribution timing section of the basic plan document, and attached to this ordinance as EXHIBIT C.

SECTION 5. The City-County Council, pursuant to Section 291-401 of the Revised Code of the Consolidated City and County, hereby approves the execution of an amendment to add the Roth option for IMPD and IFD.

SECTION 6. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 7. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.



May 12, 2014

Proposal No. 103, 2014 was retitled GENERAL ORDINANCE NO. 19, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 2014

A PROPOSAL FOR A GENERAL ORDINANCE authorizing the Controller to establish and administer a Governmental 401(a) Special Pay Plan.

WHEREAS, Indiana pension laws provide that the City of Indianapolis and Marion County may establish and offer various retirement plan options to its employees;

WHEREAS, pursuant to IRS Publication 963, "a defined contribution plan provides an individual account for each participant and provides benefits based solely on the amount contributed to the participant's account, and any income, expenses, gains or losses, etc. that may be allocated to that participant's account. See IRC section 414(i)";

WHEREAS, pursuant to IRS Publication 963, "a defined contribution plan that satisfies the definition of a retirement system under Regulation 31.3121(b)(7)-2(e)(2)(iii) must provide for an allocation to the employee's account of at least 7.5 percent of the employee's compensation during any period under consideration. A variety of plan types could meet the requirement; for example, plans established under IRC sections 401(a), 403(b), or 457. Contributions from both the employer and the employee may be used to make up the 7.5 percent. Matching contributions by the employer may be taken into account for this purpose. A plan with only employee contributions would also satisfy the minimum benefit requirement, provided the contributions constitute at least 7.5 percent of compensation. However, the 7.5 percent cannot include any earnings on the account";

WHEREAS, the City desires to expand the retirement options available to part-time, seasonal, and temporary employees of the City-County; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Controller for the Consolidated City of Indianapolis and Marion County, Indiana is authorized to establish and administer a Governmental 401(a) Special Pay Plan.

SECTION 2. The City-County Council, pursuant to Section 291-401 of the Revised Code of the Consolidated City and County, hereby approves the execution of a Governmental 401(a) Special Pay Plan for part-time, seasonal, and temporary employees of the City-County that are not eligible to participate in the Public Employees' Retirement Fund pursuant to Special Resolution No. 108, 1999 and Special Resolution No. 80, 1992.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 105, 2014 was retitled GENERAL ORDINANCE NO. 20, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 2014

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapter 141, Article I of the Code regarding city and county contracts.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 141-101 of the "Revised Code of the Consolidated City and County," regarding city and county contracts, hereby is amended by the addition of the language that is underscored, to read as follows:

Sec. 141-101. Definitions; application.

- (a) As used in this article, the following terms shall have the meanings ascribed to them in this subsection.

*City contract* means and includes: (1) each contract entered into by the city or a city agency, officer or employee for the purchase of goods or services, (2) leases, (3) memorandums of understanding/agreement, (4) interlocal agreements, (5) any agreements that would obligate the City/County to expend funds or provide like-kind services, or (6) any other legally or financially binding documents as determined by the Office of Finance & Management or the Office of Corporation Counsel.

*County contract* means and includes: (1) each contract entered into by the county or a county agency, officer or employee for the purchase of goods or services, (2) leases, (3) memorandums of understanding/agreement, (4) interlocal agreements, (5) any agreements that would obligate the City/County to expend funds or provide like-kind services, or (6) any other legally or financially binding documents as determined by the Office of Finance & Management or the Office of Corporation Counsel.

- (b) This article shall apply to all city contracts and county contracts, including contracts entered into by the prosecuting attorney that do not involve a core prosecution function; however, this article shall not apply, except where specifically provided, to contracts entered into by the city-county council, circuit court or Marion Superior Court. Notwithstanding the foregoing provisions, the city-county council, circuit court, Marion Superior Court, and prosecuting attorney are encouraged to follow all procedures and comply with all requirements of this article to the extent they deem advisable or appropriate.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 114, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 114, 2014 on April 21, 2014. The proposal, sponsored by Councillors Adamson and Gooden, approves a reduction of \$100,373.44 in the 2014 Budget of the Department of Metropolitan Development (Transportation General and Consolidated County Funds) for the purpose of correcting a funding split between federal grant dollars and local matching funds. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 114, 2014 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 114, 2014 was retitled FISCAL ORDINANCE NO. , 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) reducing appropriation by One Hundred Thousand Three Hundred Seventy Three Dollars and Forty-Four Cents (-\$100,373.44) for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2014 is hereby amended to reflect transfers and reductions of appropriation hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. Reduces appropriation in the Transportation General fund in the amount of -\$54,253.44 and reduces appropriation in the Consolidated County fund (DMD General) in the amount of -\$46,120.00. Appropriation is transferred between characters in the Federal Grants fund.

This corrects an error in the 2014 appropriation for the Metropolitan Planning Organization (MPO) portion of the Department of Metropolitan Development Budget.

The following transfer and reduction of appropriation is hereby approved:

**Metropolitan Development**

| FUND                                 | CHAR 1     | CHAR 2  | CHAR 3     | CHAR 4 | CHAR 5    | TOTAL      |
|--------------------------------------|------------|---------|------------|--------|-----------|------------|
| Transportation General               | -40,285.08 | 0       | -13,768.36 | 0      | -200.00   | -54,253.44 |
| Consolidated County<br>(DMD General) | 0          | -260.00 | -42,236.20 | -84.00 | -3,539.80 | -46,120.00 |
| Federal Grants                       | 40,285.08  | 260.00  | -44,368.88 | 84.00  | 3,739.80  | 0          |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 and projected 2014 year-end fund balances for the Consolidated County Fund and Transportation General Fund are as follows:

| Fund                        | 2013 year-end balance | Projected 2014 year-end balance |
|-----------------------------|-----------------------|---------------------------------|
| Consolidated County Fund    | 178,809,663           | 112,444,649                     |
| Transportation General Fund | 19,434,181            | 22,209,796                      |

SECTION 4: Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 124-129, 2014 together. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 124, 2014. The proposal, sponsored by Councillor Mansfield, approves a reduction in appropriations of \$956,647 in the 2014 Budget of the Department of Public Safety (City Cumulative Capital Development Fund) to align total appropriations with the statutory budget limit set by the Department of Local Government Finance in the 2014 Marion County Budget Order (A separate fiscal ordinance is being submitted to restore appropriations for

agencies to operate at the level of appropriations previously approved by the Council.). PROPOSAL NO. 125, 2014. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$223,700 in the 2014 Budget of the Department of Public Safety (IMPD General Fund) for the wellness portion of the Public Safety Medical contract. PROPOSAL NO. 126, 2014. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$437,000 in the 2014 Budget of the Department of Public Safety (IFD General Fund) for the wellness portion of the Public Safety Medical contract. PROPOSAL NO. 128, 2014. The proposal, Councillor Moriarty Adams, approves a contract to provide enhanced emergency (9-1-1) systems and service between the Marion County Sheriff and SBC Global Services. PROPOSAL NO. 129, 2014. The proposal, sponsored by Councillor Moriarty Adams, amends Section 1 of General Resolution No. 25, 2013 regarding the approval of certain public purpose grants totaling \$300,000 from the Drug Free Community Fund. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal Nos. 124-129, 2014 were adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Brown, Cain, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 124, 2014 was retitled FISCAL ORDINANCE NO. 24, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2014), reducing appropriations by Nine Hundred Fifty Six Thousand Six Hundred Forty Seven Dollars (\$956,647) to align total appropriations by fund with the statutory limit set by the 2014 Marion County Budget Order.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. For the purpose of ensuring the city and county have aligned 2014 total appropriations by fund to the amount that is statutorily set by the 2014 Marion County Budget Order, the City-County Annual Budget for 2014 is hereby reduced for the City Cumulative Capital Fund as per Attachment A.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 125, 2014 was retitled FISCAL ORDINANCE NO. 25, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring a total of \$223,700 for purposes of the Department of Public Safety, IMPD.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 be amended by the transfers hereinafter stated for purposes of the Department of Public Safety, IMPD.

SECTION 2. The Department of Public Safety, IMPD, transfer in the IMPD General fund to cover the wellness portion of the Public Safety Medical Contract. The following changes to appropriations are hereby approved:

| <b>FUND</b>           | <b>CHAR 1</b> | <b>CHAR 2</b> | <b>CHAR 3</b> | <b>CHAR 4</b> | <b>CHAR 5</b> | <b>TOTAL</b> |
|-----------------------|---------------|---------------|---------------|---------------|---------------|--------------|
| IMPD General<br>15601 | (223,700)     |               | 223,700       |               |               | 0            |

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SECTION 3. Upon approval of this, and other pending approvals, the 2013 year end and projected 2014 year end fund balances are as follows:

| Fund                      | Projected 2013 year-end balance | Projected 2014 year-end balance |
|---------------------------|---------------------------------|---------------------------------|
| IMPD General Fund (15601) | 6,163,006                       | 2,938,404                       |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 126, 2014 was retitled FISCAL ORDINANCE NO. 26, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring a total of \$437,000 for purposes of the Department of Public Safety, IFD.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 be amended by the transfers hereinafter stated for purposes of the Department of Public Safety, IFD.

SECTION 2. The Department of Public Safety, IFD, transfer in the IFD General fund to cover the wellness portion of the Public Safety Medical Contract. The following changes to appropriations are hereby approved:

| FUND                  | CHAR 1    | CHAR 2 | CHAR 3  | CHAR 4 | CHAR 5 | TOTAL |
|-----------------------|-----------|--------|---------|--------|--------|-------|
| IMPD General<br>15551 | (437,000) |        | 437,000 |        |        | 0     |

SECTION 3. Upon approval of this, and other pending approvals, the 2013 year end and projected 2014 year end fund balances are as follows:

| Fund                     | Projected 2013 year-end balance | Projected 2014 year-end balance |
|--------------------------|---------------------------------|---------------------------------|
| IFD General Fund (15551) | 1,757,844                       | 1,870,020                       |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 128, 2014 was retitled SPECIAL RESOLUTION NO. 32, 2014, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 2014

PROPOSAL FOR A SPECIAL RESOLUTION to approve a contract to provide enhanced emergency telephone ("911") systems and service between the Marion County Sheriff's Office and SBC Global Services Inc. d/b/a AT&T Global Services, on behalf of Indiana Bell Telephone Company, Inc..

WHEREAS, Chapter 281 Article VI, of the Revised Code of the Consolidated City and County provides for City-County Council approval of a contract requiring annual payments exceeding One Hundred Thousand Dollars (\$100,000) related to the provision of enhanced emergency telephone ("911") systems or services; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. In order to provide enhanced emergency telephone ("911") systems and service for Marion County through November 2024, a contract, including the original contract and two amendments, requiring the Marion County Sheriff's Office to make annual payments exceeding One Hundred Thousand Dollars (\$100,000) to the service and system provider, SBC Global Services Inc. d/b/a AT & T Global Services, on behalf of Indiana Bell Telephone Company, Inc., is hereby approved.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Proposal No. 129, 2014 was retitled GENERAL RESOLUTION NO. 5, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2014

PROPOSAL FOR A GENERAL RESOLUTION to amend Section 1 of City-County General Resolution No. 25, 2013 regarding the approval of certain public purpose grants totaling \$300,000 from the Drug Free Community Fund.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 1 of City-County General Resolution No. 25, 2013 is hereby amended by the deletion of the language that is stricken-through, and the addition of the language that is underscored, to read as follows:

SECTION 1. The following grants and administrative expenses totaling in the total amount of Three Hundred Thousand Dollars (\$300,000) from the Drug Free Community Fund are hereby approved in the following amounts and projects, and for the following organizations:

| Drug Free Community Fund<br>2014 Annual Grant Awards                                |                                     |                 |
|---|-------------------------------------|-----------------|
| <u>Organization</u>   | <u>Project</u>                      | <u>Amount</u>   |
| I. PREVENTION/EDUCATION   |                                     |                 |
| Boys & Girls Clubs of Indianapolis  | SMART MOVES                         | \$18,750        |
| John H. Boner Center  | EDGE Program                        | \$18,750        |
| Indianapolis Public Schools/Alt Education   | Data Collection and Analysis        | \$18,750        |
| <del>Indy Parks and Recreation</del> <u>Indianapolis Parks</u><br><u>Foundation</u> | CHOICE Program                      | <u>\$18,750</u> |
|   | Subtotal                            | \$75,000        |
| II. INTERVENTION / TREATMENT  |                                     |                 |
| HealthNet Inc./Homeless Initiative Project  | Community Outreach Task (COT) Force | \$15,000        |
| Pathway to Recovery   | Pathway Supportive Housing Program  | \$15,000        |
| The Salvation Army  | Harbor Light Center Detox Program   | \$15,000        |
| Gallahue Behavioral Health Services   | Supported Assisted Living           | \$15,000        |
| PACE Inc.   | PACE Restoring Recovery             | <u>\$15,000</u> |
|   | Subtotal                            | \$75,000        |
| III. LAW ENFORCEMENT / CRIMINAL JUSTICE   |                                     |                 |
| John P. Craine House  | One More Step Forward               | \$18,750        |
| M.C. Drug Treatment Diversion/ReEntry   | Drug Treatment and ReEntry Court    | \$18,750        |
| Marion County Drug Treatment Diversion  | Drug Treatment Court                | \$18,750        |
| Step Up Inc.  | Women Taking Charge                 | <u>\$18,750</u> |
|   | Subtotal                            | \$75,000        |
| IV. ADMINISTRATION  |                                     |                 |
| Drug Free Marion County   | Administration & Grant Oversight    | <u>\$75,000</u> |
|   | Subtotal                            | \$75,000        |
| Grand Total   |                                     | \$300,000       |

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Councillor Brown reported that the Public Works Committee heard Proposal Nos. 131-136, 2014 on May 1, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 131, 2014. The proposal, sponsored by Councillor Moriarty Adams, authorizes intersection controls at Layman Avenue and 27th Street (District 17). PROPOSAL NO. 132, 2014. The proposal, sponsored by Councillor Freeman, authorizes intersection controls for the Thompson Park subdivision (District 25). PROPOSAL NO. 133, 2014. The proposal, sponsored by Councillor Shreve, authorizes intersection controls for Barnwell Way, Glenwick Boulevard, and Nanwich Court (District 23). PROPOSAL NO. 134, 2014. The proposal, sponsored by Councillor Evans, authorizes parking restrictions on Coffman Road from 62nd to 71st Street (District 1). PROPOSAL NO. 135, 2014. The proposal, sponsored by Councillor Scales, authorizes intersection controls and a reduction in speed limit for the Crystal Lake at River Ridge subdivision (District 4). PROPOSAL NO. 136, 2014. The proposal, sponsored by Councillor Moriarty Adams, authorizes a change of intersection controls at Bolton Avenue and 12th Street (District 17). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Brown moved, seconded by Councillor Talley, for adoption. Proposal Nos. 131-136, 2014 were adopted on the following roll call vote; viz:

28 YEAS: Adamson, Barth, Brown, Cain, Evans, Gooden, Gray, Hickman, Holliday, Hunter, Lewis, Lutz, Mahern, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Talley  
0 NAYS:  
1 NOT VOTING: Freeman

Proposal No. 131, 2014 was retitled GENERAL ORDINANCE NO. 21, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>               | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-----------------------------------|---------------------|------------------------|
| 19              | Layman Ave<br>27 <sup>th</sup> St | 27 <sup>th</sup> St | Stop                   |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 132, 2014 was retitled GENERAL ORDINANCE NO. 22, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>                      | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|--|---------------------|------------------------|
| 41              | Thompson Park Blvd<br>Kings Canyon Drive | Roundabout          | Stop                   |
| 40              | Kings Canyon Dr<br>Rocky Mountain Dr     | None                | All-Way Stop           |
| 41              | Thompson Park Blvd<br>Bryce Canyon Dr    | Roundabout          | Stop                   |
| 41              | Capitol Reef Ln<br>Mesa Verde Dr         | Mesa Verde Dr       | Stop                   |
| 41              | Thompson Rd<br>Thompson Park Blvd        | Thompson Rd         | Stop                   |
| 40              | Rocky Mountain Dr<br>Joshua Tree Pl      | Rocky Mountain Dr   | Stop                   |
| 40              | Rocky Mountain Dr<br>Bryce Canyon Dr     | Bryce Canyon Dr     | Stop                   |
| 40              | Thompson Park Blvd<br>Lake Mead Dr       | Thompson Park Blvd  | Stop                   |
| 41              | Thompson Park Blvd<br>Black Oaks Way     | Thompson Park Blvd  | Stop                   |
| 40              | Glen Canyon Dr<br>Black Oaks Way         | Glen Canyon Dr      | Stop                   |
| 41              | Thompson Park Blvd<br>Front Point Dr     | Thompson Park Blvd  | Stop                   |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 133, 2014 was retitled GENERAL ORDINANCE NO. 23, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 2014

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>                         | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---|---------------------|------------------------|
| 45              | Barnwell Way<br>Glenwick Blvd<br>Nanwich Ct | None                | Stop                   |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



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Proposal No. 134, 2014 was retitled GENERAL ORDINANCE NO. 24, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Coffman Road, on both sides,  
from Sixty Second Street to Seventy First Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 135, 2014 was retitled GENERAL ORDINANCE NO. 25, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls; and Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>                     | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---|---------------------|------------------------|
| 5               | Crystal River Dr<br>96 <sup>th</sup> St | 96 <sup>th</sup> St | Stop                   |
| 5               | Crystal River Dr<br>Crystal River Ct    | Crystal River Dr    | Stop                   |
| 5               | Crystal Lake Dr<br>Crystal Lake Ln      | Roundabout          | Yield                  |
| 5               | Crystal Lake Dr<br>Brant Rd/River Rd    | Brandt Rd/River Rd  | Stop                   |

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

All Streets within Sections 1, 2, and 4 of the Crystal Lake at River Ridge platted subdivision, 25 mph.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 136, 2014 was retitled GENERAL ORDINANCE NO. 26, 2014, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 2014

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>               | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-----------------------------------|---------------------|------------------------|
| 26              | Bolton Ave<br>12 <sup>th</sup> St | Bolton Ave          | Stop                   |

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u>               | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-----------------------------------|---------------------|------------------------|
| 26              | Bolton Ave<br>12 <sup>th</sup> St | None                | Stop                   |

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors McQuillen, McHenry and Scales in memory of Russell Romine; and
- (2) Councillor Simpson in memory of Barbara Reeves; and
- (3) Councillor Brown in memory of Ricky Hudson ; and
- (4) Councillors Pfisterer, Lutz and McHenry in memory of Merri Anderson; and
- (5) Councillors Lutz, McHenry, Pfisterer and Talley in memory of Lt. Col. Jeffrey L. Dine;
- (6) Councillor Mansfield in memory of Neil Kelty; and
- (7) Councillors Cain and McQuillen in memory of Ann Shevlot; and
- (8) Councillor Cain in memory of Richard Edwin Ford and Marie Grace Lengel Sparks; and
- (9) Councillor Pfisterer in memory of Stephen W. Alford; and
- (10) Councillor Miller in memory of Regenia Chelf; and
- (11) Councillor Sandlin in memory of Helen M. Askin; and
- (12) Councillor Lewis in memory of Doris Evans Russell; and
- (13) Councillor Mascari in memory of Henry "Hank" Bayt and Helen Griffin; and
- (14) All Councillors in memory of Lucius Clifton Oliver, Sr.; and
- (15) Councillor Talley in memory of Deputy Eric Stofe; and
- (16) Councillor McHenry in memory of James Topf.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Russell Romine, Barbara Reeves, Ricky Hudson, Merri Anderson, Lt. Col. Jeffrey L. Dine, Neil Kelty, Ann Shevlot, Richard Edwin Ford, Marie Grace Lengel Sparks, Stephen W. Alford, Regenia Chelf, Helen M. Askin, Doris Evans Russell, Henry "Hank" Bayt, Helen Griffin, Lucius Clifton Oliver, Sr., Deputy Eric Stofe, and James Topf. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a

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letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:44 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of May, 2014.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

  
President

ATTEST:

  
Clerk of the Council

(SEAL)